

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

Keith Balzarini,

Plaintiff(s),

vs.

Keolis Transit Services, LLC.,

Defendant(s).

2:24-cv-02054-RFB-DJA

**ORDER RE: March 17, 2025 EARLY
NEUTRAL EVALUATION**

On January 22, 2025, the undersigned issued an *Order Setting Mediation* (ECF No. 9) (“1/22/25 Order”). Among other things, the 1/22/25 Order scheduled an LR 16-6 Early Neutral Evaluation (“ENE”) for March 17, 2025; required the parties to submit confidential settlement briefs one week prior to the ENE (e.g. March 10, 2025); ordering client representatives to appear; and setting forth procedures to request remote appearances. *Id.*

Defendant has not complied with the 1/22/25 Order and did not submit the requisite confidential settlement brief. It appears that neither defendant nor counsel may have actually reviewed the 1/22/25 Order because the Court received the following email from defendant’s counsel today with certain inquiries, some of which are addressed by the 1/22/25 Order:

From: Gutierrez, Melissa <MGutierrez@littler.com>
Sent: Wednesday, March 12, 2025 12:16 PM
To: Court_MDC <Court_MDC@nvd.uscourts.gov>; Darci Reich-Smith
<darci_reichsmith@nvd.uscourts.gov>
Subject: Keith Balzarini v. Keolis Transit Services, LLC - Case 2:24-cv-02054-RFB-DJA - 3/17/25 Mediation

Good afternoon,

Our office represents Defendant Keolis Transit Services, LLC in the above-matter and there is a Mediation scheduled for Monday, 3/17/25 at 9:00 am. Because of a recent potential conflict, I am trying to find out if it would be possible for a remote appearance? And if a client representative would also be required to appear. I will submit the necessary request and proposed order for this if that is all that is necessary, but also want to make sure that there is nothing else needed. If it is possible to speak with someone regarding this upcoming mediation, I would greatly appreciate a brief call.

Thank you.

Melissa Gutierrez
Attorney Practice Coordinator
559.244.7514 direct, 816.832.9511 mobile
MGutierrez@littler.com

1 Defendant and counsel, please review the Court's 1/22/25 Order. Defendant shall comply with
2 the 1/255/25 Order and as set forth below:

3 **IT IS ORDERED** that:

4 (1) Defendant shall submit the requisite confidential settlement statement, addressing
5 all of the matters set forth in the 1/22/25 Order, to Court_MDC@nvd.uscourts.gov by no later than **9:00**
6 **a.m., March 13, 2025;**

7 (2) As directed by the 1/22/25 Order, an officer/s or representative/s of the defendant
8 with binding authority to settle this matter up to the full amount of the claim or most recent demand
9 shall be present for the duration of the meditation;

10 (3) At this time, the Court will entertain a request for remote appearance only if: (a)
11 the plaintiff consents; and(b) the parties file a stipulation requesting remote appearance by no later than
12 **5:00pm, March 13, 2025;** and

13 (4) Continued failure to comply with the Court's 1/22/25 Order or this order will
14 result in sanctions.

15 DATED: March 12, 2025.

16 IT IS SO ORDERED.

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18 Hon. Maximiliano D. Couvillier III
19 United States Magistrate Judge
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